UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,452	01/04/2000	HIRONORI KANNO	826.153CIP/J	9246

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EXAMINER
SINGH, RACHNA

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 March 2004</u> .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Amendment A filed 3/8/04

2.   Claims 1-6 are pending. Claim 6 is a newly added claim. Claims 1, 3, 4, 5, and

6 are independent claims.

Claim Objections

3.   The numbering of claims is not in accordance with 37 CFR 1.126 which requires

the original numbering of the claims to be preserved throughout the prosecution. When

claims are canceled, the remaining claims must not be renumbered. When new claims

are presented, they must be numbered consecutively beginning with the number next

following the highest numbered claims previously presented (whether entered or not).

        Misnumbered **new claim 5** been renumbered as claim 6.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Logan et al., US Patent 6,199,076 B1, filed 10/2/96.

        In reference to claims 1 and 3, Logan teaches an audio program distribution

system in which a host system transmits program segments to the client location.

Logan's system comprises the following:

- Playing program segments in an order determined by a session schedule which identifies an ordered sequence of program segments. The session schedule is created by a server system that develops and periodically transmits to the session schedule. A designated portion of the program segment may be a hyperlink. See columns 2-3 and 6. Compare to *"a control unit obtaining address information defined on an information network according to a predetermined output sequence."*

- Outputting information corresponding to the address information in the sequence to the user. The web page data being made available by means of an HTML interface. See columns 2-3 and 6. Compare to *"an interface unit transmitting. . .corresponding to the transmitted address information"*.

Logan teaches providing a hyperlink to a designated portion of the session, thus it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize an address according to the sequence since a URL or hyperlink is an address.

In reference to claims 2, 4, and 5, Logan teaches that there is a program segment identification number representing the output sequence. See column 12. Logan further teaches that a hyperlink can be directed to a program segment which has a ProgramID number. See column 31. The segment can jump to the hyperlink material. Thus Logan teaches a correspondence between an address and a sequence number. See column 31. In playing program segments in an order determined by a session schedule which identifies an ordered sequence of program

segments, the designated portion may be a hyperlink. The session schedule is created by a server system that develops and periodically transmits to the session schedule. See columns 2-3 and 6. It would have been obvious to one of ordinary skill in the art at the time of the invention to associate address information with a sequence number as Logan teaches it was well known to associate a hyperlink with the ProgramID number of the segment. See columns 2-3, 12, and 31.

In reference to claim 6, Logan teaches an audio program distribution system in which a host system transmits program segments to the client location. Logan's system comprises the following:

- Playing program segments in an order determined by a session schedule which identifies an ordered sequence of program segments. The session schedule is created by a server system that develops and periodically transmits to the session schedule. A designated portion of the program segment may be a hyperlink. See columns 2-3 and 6. Compare to *"obtaining a sequence of material segments to be presented with the segments having corresponding storage addresses in a first computer"*.

- Outputting information corresponding to the address information in the sequence to the user. The web page data being made available by means of an HTML interface. See columns 2-3 and 6. Compare to *"transmitting, by a second computer. . .the addresses one at a time to third computers in accordance with a sequence. . .retrieving. . .the segments. . .presenting the material segments to users"*.

Logan teaches providing a hyperlink to a designated portion of the session, thus it

would have been obvious to one of ordinary skill in the art at the time of the invention

to utilize an address according to the sequence since a URL or hyperlink is an

address. Logan's system can take place over a network of computers. Logan

teaches a system in which an audio program player plays program segments in an

order determined by the session schedule. The program segments can be

presented over a network to various computers.   The presence of a server

computer indicates that information can be delivered to remote and local computer

terminals as well as a second and third computer in the network. See figure 7 and

columns 39-30. Transmitting a hyperlink from one computer to another is a feature

occurring in computers in a network system thus it would have been obvious to one

of ordinary skill in the art to retrieve, transmit, and present segments on various

computers.

Response to Arguments

6.   Applicant's arguments filed 3/8/04 have been fully considered but they are not

persuasive.

       Applicant argues that the present invention is directed at causing a plurality of

remote output terminals to play a desired output to users at the same time under the

control of the controller and Logan teaches an audio player that receives a request to

transmit audio material to be played to the player. In response to applicant's argument

that the references fail to show certain features of applicant's invention, it is noted that

the features upon which applicant relies (i.e. presenter-controlled, etc) are not recited in

the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant's *claimed* invention is drawn to a slide show system comprising a control unit for obtaining address information according to a predetermined output sequence and an interface unit transmitting a plurality of pieces of address information to remote side computer terminals. The Logan reference comprises all of these features as indicated in the rejection above. Specifically, Logan teaches playing program segments in an order determined by a session schedule (created by a server system that develops and transmits to the session schedule) which identifies an ordered sequence of program segments. A designated portion may be a hyperlink (an address). Compare this to ***"a control unit for obtaining address information defined on an information network and used to output information on the local side computer terminal, according to a predetermined output sequence"***. Logan further teaches transmitting a plurality of pieces of address information to computer terminals for instructing an output of information corresponding to the transmitted piece of data. See columns 2-3, 6 and rejections above.

Applicant argues that the use of "local" computer distinguishes the present invention from that of Logan's. Logan teaches a system in which an audio program player plays program segments in an order determined by the session schedule. The program segments can be presented over a network to various computers. The

presence of a server computer indicates that information can be delivered to remote and local computer terminals. See figure 7 and columns 39-30.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 703.305.1952. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 703.305.9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

RS
5/5/04

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER